## NOT FOR PUBLICATION

v.

(Doc. Nos. 91, 96)

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY CAMDEN VICINAGE

ANDREW DUBLER, :

Plaintiff, :

: Civil No. 09-5144 (RBK/JS)

: ORDER

HANGSTERFER'S LABORATORIES, et al.,

Defendants.

THIS MATTER having come before the Court pursuant to the motions by Defendants Hangsterfer's Laboratories, et al., ("Defendants") for summary judgment denying Plaintiff's claims (Doc. No. 91), and by Plaintiff Andrew Dubler ("Plaintiff") to seal Plaintiff's Opposition Brief and attached materials (Doc. No. 96); and the Court having considered the parties' submissions;

IT IS HEREBY ORDERED that, for the reasons stated in the Court's accompanying Opinion, the Court **GRANTS** Defendant's motion for summary judgment as to Plaintiff's claims under the NJ Conscientious Employee Protection Act ("CEPA"), N.J.S.A. § 34:19-2(e) (Count I); wrongful discharge (Count II); and the New Jersey Wage Payment Law ("WPL"), N.J.S.A. § 34:11-4.1 (Count IV); and

IT IS HEREBY FURTHER ORDERED that the Court DENIES Defendant's motion for summary judgment as to Plaintiff's claims for failure to pay severance and benefits in violation of the Employee Retirement Income Security Act (ERISA), 29 U.S.C. § 1002 (Count III); and breach of express or implied contract (Count V); and

IT IS HEREBY FURTHER ORDERED that the Court GRANTS Plaintiff's motion to seal; and

IT IS HEREBY FURTHER ORDERED that Plaintiff's Opposition to Defendants'

Motion for Summary Judgment and Plaintiff's attached materials designated Exhibits A through

I and L, are hereby SEALED.

Dated: 3/5/12

/s/ Robert B. Kugler ROBERT B. KUGLER United States District Judge